

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, May 10, 2016**  
**Council Chambers**  
**7:30 p.m. – 9:25 p.m.**

**PRESENT:** Mayor Pro Tem Dennis; Councilmembers Kabir, Nagle, Stullich (arrived at 7:43 p.m.), Day (arrived at 8:34 p.m.), Cook and Kujawa.

**ABSENT:** Mayor Wojahn; Councilmember Brennan.

**ALSO PRESENT:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Terry Schum, Director of Planning; Bob Ryan, Director of Public Services; Bob Stumpff, Director of Public Works; Steve Groh, Director of Finance; Leo Thomas, Deputy Director of Finance; Adler Pruitt, Deputy Student Liaison.

Mayor Pro Tem Dennis opened the Regular Meeting at 7:30 p.m.

**City Manager's Report:** Mr. Somers announced that the annual volunteer reception would be held on Friday, May 20, the Memorial Day event would be on May 30 at 11:00 a.m., and discussed the launch last week of our new bikeshare program with the University of Maryland and Zagster. There are 14 stations throughout the City. He reviewed the red folder items.

**Proclamations And Awards:** Mayor Pro Tem Dennis read the National Infrastructure Week Proclamation.

**Amendments To And Approval Of The Agenda:** Mayor Pro Tem Dennis said we are adding a closed session at the end of tonight's regular meeting, to consult with counsel on a legal matter and to discuss potential litigation. The agenda was adopted 5-0-0 on a motion by Councilmember Cook and second by Councilmember Kabir.

**Presentation:** College Park Community Center Director MK Fitzsimons gave a presentation on the "Let's Move Initiative," the national program to create healthier communities for healthy kids. She described the program criteria and the initiatives that are already being done, and said all she needs is an elected official to sponsor the application.

[Councilmember Stullich arrived.]

**Public Comment on Consent and Non-Agenda Items:**

**Dave Dorsch, 4607 Calvert Road:** He noticed that no guardrail has been installed on the corner yet; we need to do that before someone gets hurt. For the election at the Armory on campus, the University did not waive parking fees. There should be free spaces specifically devoted to voter parking.

**Carol Nezzo, 4600 Amherst Road:** On April 6, 2015 about 70 people came to a meeting at St. Andrews Church about growing older in College Park and what information there was. She said

they need a telephone so that if someone stubs their toe, they can call them and a volunteer can take them to the emergency room. They have been studying various models and attending meetings. They have applications from people who want services or want to volunteer. They would like to use the phone in the Old Parish House for volunteers daily from 10–12 and 1–3. They want to start their services and asked if they can reserve the space.

**Thelma Martin, 5034 Mangum Road:** Continuing on Dr. Nezzo's comments - People are interested in a program for seniors. They have prepared an application for people who are willing to help so that neighbors can help neighbors.

**Oscar Gregory, 9253 Limestone Place:** Re: 16-G-62, Award of Contract to Management Advisory Group International for a job classification study: he is concerned that if nearby jurisdictions aren't up to snuff, it would skew the data. He thinks they should use a stable database such as the federal services contract act for comparison.

### **Public Hearings:**

#### **a. Constant Yield Tax Rate:**

Finance Director Steve Groh provided an overview: He explained that SDAT (State Department of Assessments and Taxation) prepares a calculation of our FY 2017 assessable base. He pointed out several potential inaccuracies in SDAT's assumptions. SDAT then applies last year's tax rate to the projected FY 2017 assessable base and calculates what the revenue will be, which determines what the constant yield tax rate would need to be for the City to receive the same amount of revenue in FY 2017 as we did in FY 2016. In this case, they calculated the constant yield rate at .3199; our current is .335, so we are .015 over the constant yield tax rate. If our tax rate exceeds the rate calculated by SDAT we are required to hold this public hearing. We are proposing to keep our tax rate the same. Once this public hearing is held, the Council may set the City's tax rate. On an average \$300,000 owner occupied residential property, the property owner without a homestead tax credit would pay about \$45 more in tax per year. The overall increase to the City would be about \$348,000.

#### **Comments from the audience:**

**Joel Ryerson, 8611 Laverne Drive, Adelphi, MD 20783:** One bus was eliminated. The website was incorrect. He didn't see anything in the budget about bus service.

**David Gray, 7306 Radcliffe Drive:** He is opposed to raising what he pays and thinks the City should reduce the tax rate. Don't put money toward City Hall – residents don't want it.

**Suchitra Balachandran, 9320 St. Andrews Place:** She is in favor of the constant yield tax rate and requests the Council vote no on the increase in taxes. Unless the City can justify a lack of funds for essential services, there should be no increase.

**Dave Dorsch, 4607 Calvert Road:** The City should not increase the tax rate – it is hard on people with fixed incomes. With all the new construction in the City, the tax base is increasing – we should decrease the tax rate.

**Oscar Gregory, 9253 Limestone Place:** He sees tax credits going to businesses. Keep the tax rate at the constant yield rate unless you are providing extra services to residents.

**b. Ordinance 16-O-02, An Ordinance of the Mayor and Council of the City Of College Park, Maryland To Adopt The Fiscal Year 2017 Operating and Capital Budget Of The City Of College Park, Maryland:**

[Councilmember Day arrived]

**Comments from the audience:**

**David Gray, 7306 Radcliffe Drive:** He raised concerns about the City lobbyist (\$30,000), the resident survey (\$30,000), Council travel (\$31,000), catering, Meals on Wheels and City Hall.

**Dave Dorsch, 4607 Calvert Road:** This budget is \$17.8M. The rate of the budget increases is outpacing the rate of inflation. Let's try not to spend every dollar we get our hands on. We want a good City, but at a reasonable cost, and we are getting past that.

There being no further comment, Mayor Pro Tem Dennis declared the Public Hearings closed.

**CONSENT AGENDA:** A motion was made by Councilmember Day and seconded by Councilmember Nagle to adopt the Consent Agenda, which consisted of the following:

- 16-G-59      Approval of Minutes: March 8, 2016; March 22, 2016.**
- 16-G-60      Approval of free parking in the downtown parking garage on Saturdays from May 28 to August 13, 2016**
- 16-G-61      Support for a refillable container (growler) permit for Fishnet Restaurant, LLC, subject to the applicant entering into an Amended Property Use Agreement between the City and Mr. Ferhat Yalcin, Managing Member, in substantially the form as attached; authorize the City Manager to sign the Amended PUA; and authorize staff to testify to the Council's position at the BOLC hearing on May 11.**
- 16-G-62      Award of contract to Management Advisory Group International, Inc. of Woodbridge, Virginia in substantially the form attached in an amount not to exceed \$35,000 for a Job Classification and Compensation Study, and authorize the City Manager to sign the contract.**
- 16-G-64      Ratify the negotiated Agreement between the City and AFSCME Local 1209-C effective July 1, 2016 through June 30, 2019 and authorize the City Manager to sign the Agreement.**
- 16-G-65      Approval of a Field Use Reservation Application for Duvall Field from M&M Learning Center for Family Fun Day, Saturday, May 21, 2016**
- 16-G-66      Approval of a Sunday Field Use Reservation Application for Duvall Field from Boy Scout Troop 740 for Barbecue Fundraiser, Sunday, May 22, 2016**

**The motion passed 7 – 0 – 0.**

## **ACTION ITEMS:**

**16-O-03 Introduction of Ordinance 16-O-03, An Ordinance Of The Mayor And Council Of The City Of College Park, Amending Chapter 15, “Boards, Commissions And Committees”, §15-19, “Powers And Duties”; Chapter 125, “Housing Code”, §125-8, “Maintenance Of Dwellings”, §125-17, “Firesafety Laws”, And §125-17.1, Abatement Of Certain Violations; And Chapter 157, “Property Maintenance”, §157-2, “Definitions; Word Usage”; §157-3, “Compliance; Inspections”; §157-4, “Notification Of Violations; Hearings”, §157-6, Responsibilities Of Owners And Occupants”; §157-7” Designation Of Unfit Buildings; Condemnation”; § 157-8, “Higher Standards To Prevail”; Deleting §157-5, “Adoption Of Rules And Regulations”, And §157-9 “Hearings”; Amending Chapter 110, ‘Fees And Penalties’, §110-2, “Penalties”, And Adopting A New Chapter 115, “Fire Safety” ,To Update And Clarify The Codes, Include Fire Safety Laws In One Chapter And Provide For A Fine, And To Make Certain Conforming Changes**

Ms. Ferguson provided an overview: This began as a request to conform our code with respect to clearing snow from sidewalks, but when we got into this chapter we determined that it had not been revised in many years, so we are making several non substantive changes. One thing we are adding is a provision to prohibit runoff from one property to another.

**A motion was made by Councilmember Nagle and seconded by Councilmember Cook to introduce this Ordinance. The Public Hearing is scheduled for Tuesday, June 14, 2016 at 7:30 p.m. in the Council Chambers.**

## **16-G-57 Letter of support for a College Park Food Truck Hub**

Ms. Schum provided an overview: This is a request for a letter of support for a food truck hub at the site of the former Little Tavern parking lot at 7413 Baltimore Avenue. This is allowable under recent County legislation, with a letter of support from the municipality. The food truck hub would be created by College Park Ventures, run by two recent UMD graduates who will be the applicant and coordinators of the hub. They also have a food truck of their own. The University of Maryland Foundation owns the property and has provided permission for them to use the property. Staff recommends providing the letter of support.

**David Engle and Christopher Szeluga, College Park Ventures, 4103 Metzert Road:** They described their history of entrepreneurship. They are proposing a for-profit model for this hub – they will charge fees to the vendors. This is a small, controlled introduction of food trucks in one location. Trucks will be moved every day after close and no truck will be there more than five days in a row. College Park Ventures is responsible for cleaning the site and collecting the trash and recyclables daily.

**A motion was made by Councilmember Day and seconded by Councilmember Kujawa that the City of College Park support the establishment of a food truck hub at 7413 Baltimore Avenue to be coordinated by College Park Ventures.**

Councilmember Kabir asked if we can quantify the loss of revenue from the parking meters in that lot. Mr. Ryan said we don't have enough experience in that lot yet to provide this information. Ms. Ferguson said that the City currently has a license agreement with the Foundation for this lot. If the meters will no longer be functional there, we should rethink this arrangement.

Councilmember Cook asked if we could support this for a one year trial period. Ms. Ferguson responded that if this goes forward the City would not have control of this space; the Foundation controls the space and County law controls the operation of food truck hubs. Ms. Schum said that College Park Ventures would have to reapply to the County each year.

**The motion passed 6 – 0 – 1 (Councilmember Nagle abstained).**

### **16-G-63      Appointments to Boards and Committees**

A motion was made by Councilmember Nagle and seconded by Councilmember Kabir to reappoint Lisa Miller and Paul Carlson to the Neighborhood Quality of Life Committee. The motion passed 7 – 0 – 0.

### **MAYOR AND COUNCILMEMBER REPORTS/COMMENTS:**

Councilmember Kabir said the North College Park Civic Association would meet on Thursday at 7:30 p.m. at the Youth and Family Services building. There is a neighborhood clean up scheduled on Saturday May 21; meet in the Hollywood Shopping Center at 9:00 a.m. The Hollywood Farmers Market is on Saturday.

Councilmember Nagle announced a composting workshop on Saturday at 10:00 a.m. at the Old Parish House sponsored by the CBE.

Councilmember Stullich said the Neighborhood Quality of Life subcommittee on Best Practices for Rental Property Owners has raised the idea of a landlord orientation program, and requested a future Worksession to discuss whether and how the City would support this program.

Councilmember Cook announced the College Park Wood Neighborhood Watch Pot Luck on Saturday May 21.

Councilmember Dennis said the Lakeland Civic Association monthly meeting would be held on May 12, and the Berwyn District Civic Association would meet on May 19. As Mayor Pro Tem, he attended the launch of the Safety Ambassador Program and plans to attend the If I Were Mayor event at MML. The College Park Community Foundation held their 5K run last Saturday.

**STUDENT LIAISON'S REPORT/COMMENTS:** Deputy Student Liaison Adler Pruitt said this is his last meeting as Deputy Student Liaison. He was elected as the SGA Vice President of Student Affairs next year. He updated Council on the exam, commencement and move-out schedule over the next week.

**ADJOURN:** A motion was made by Councilmember Nagle and seconded by Councilmember Kabir to adjourn the meeting and enter into a closed session to consult with counsel on a legal matter and consult with staff about pending or potential litigation. With a vote of 7 – 0 – 0, the meeting was adjourned at 9:25 p.m.

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Janeen S. Miller, CMC  
City Clerk

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Date  
Approved

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Pursuant to §C6-3 of the College Park City Charter, at 9:25 p.m. on May 10, 2016, a motion was made by Councilmember Nagle and seconded by Councilmember Kabir to enter into a Closed Session to 1) consult with Counsel on a legal matter, 2) consult with staff about pending or potential litigation. The motion passed 7 – 0 – 0 and the Council entered into the closed session at 9:32 p.m.

**PRESENT:** Mayor Pro Tem Dennis; Councilmembers Kabir, Nagle, Stullich, Day, Cook and Kujawa.

**ABSENT:** Mayor Wojahn; Councilmember Brennan.

**Also Present:** Scott Somers, City Manager; Bill Gardiner, Assistant City Manager; Janeen Miller, City Clerk; Suellen Ferguson, City Attorney; Bob Ryan, Director of Public Services.

**Topics Discussed:** The City Attorney advised the Council about a recent court decision and possible next steps.

**Actions Taken:** None.

**Adjourn:** A motion was made by Councilmember Stullich and seconded by Councilmember Kujawa to adjourn the closed session, and at 9:52 p.m. with a vote of 7 – 0 – 0, Mayor Pro Tem Dennis adjourned the meeting.